

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JENNIFER ECKHART and CATHY AREU,	:	
	:	
Plaintiffs,	:	Civil Case No. 1:20-cv-05593
	:	
against	:	
	:	
FOX NEWS NETWORK, LLC, ED HENRY,	:	
SEAN HANNITY, TUCKER CARLSON and	:	
HOWARD KURTZ, in their individual and	:	
professional capacities,	:	
	:	
Defendants.		
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**DECLARATION OF KEVIN LORD IN SUPPORT OF  
DEFENDANTS' RULE 11 MOTION FOR SANCTIONS**

I, Kevin Lord, affirm the following to be true under penalty of perjury pursuant to 28 U.S.C. § 1746 and Local Civil Rule 1.9:

1. I am the Executive Vice President & Chief Human Resources Officer at Fox Corporation, which includes oversight of Human Resources for Fox News Network, LLC ("Fox News"). I joined Fox News in 2017. All statements set out in this Declaration are based on (1) my direct personal knowledge; (2) information learned from my review of Fox News records and documents; and (3) information I received from other Fox News and Fox Corporation employees and agents with direct personal knowledge or who have reviewed Fox News records and documents. I am fully familiar with the facts and circumstances set forth herein and make this Declaration in Support of Defendants' Rule 11 Motion for Sanctions.

2. On June 25, 2020, Plaintiff Jennifer Eckhart contacted Fox News through her counsel Wigdor LLP. Ms. Eckhart alleged that Fox News anchor, Ed Henry, had engaged in an affair with her involving sexual assault and rape.
3. That same day, on June 25, 2020, Fox News suspended Mr. Henry and hired an outside law firm, Davis & Gilbert, to conduct an independent investigation.
4. Five days later, on June 30, 2020, Davis & Gilbert reported that the alleged sexual encounters occurred, but that the evidence on consent was inconclusive.
5. The next morning, on July 1, 2020, Fox News terminated Mr. Henry.
6. Based on my review, Fox News was not aware of anyone who had ever complained that Ed Henry had sexually harassed them, prior to Ms. Eckhart's complaint on June 25, 2020.
7. On July 1, 2020, following Ed Henry's termination, Plaintiff Cathy Areu sent emails to Fox News employees claiming, among other things, that Mr. Henry had sent her pornographic texts. Fox News immediately asked Davis & Gilbert to investigate Ms. Areu's allegations.
8. I understand that on July 2, 2020, the Wigdor Firm informed Davis & Gilbert that the Wigdor Firm represents Ms. Areu and would be in touch when they are ready to further discuss her claims.
9. On July 9, 2020, Fox News received a letter from Wigdor LLP, counsel for Plaintiff Cathy Areu. Ms. Areu made allegations of sexual harassment against three of Fox News' on-air personalities, Tucker Carlson, Sean Hannity, Howard Kurtz, and one of its paid contributors, Gianno Caldwell.

10. Upon receipt of this letter, Fox News asked Davis & Gilbert to open an investigation into Ms. Areu's new allegations in the July 9 letter from Ms. Areu's counsel. Davis & Gilbert made prompt contact with the Wigdor Firm.
11. On July 13, the Wigdor Firm advised Davis & Gilbert that it would only make Ms. Areu available for an interview under the condition that nothing she says can be used against her in any future litigation or proceeding. That condition was not acceptable to the investigators.
12. On July 16, 2020, after interviewing witnesses—including Messrs. Carlson, Hannity, Kurtz, and Caldwell—and reviewing documents, Davis & Gilbert reported that there was no evidence to support Ms. Areu's allegations of wrongdoing.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Kevin Lord